

### **REMARKS**

This supplemental amendment is submitted in response to the Notice of Non-Compliant Amendment mailed May 27, 2009. The Notice indicated that, in the amendment dated August 30, 2007, the phrase “any one of” was not underlined to indicate newly added subject matter in amended claim 158. In a voicemail exchange with the undersigned, the Examiner indicated on June 18, 2009 that Applicants should prepare a supplemental amendment as if the entire previous amendment had not been entered. Thus, Applicants submit this amendment, with changes indicated over the amendment entered on November 24, 2006. Applicants apologize for the inadvertent mistake noted by the Examiner; this phrase is now omitted from claim 158 in the instant amendment due to a change in dependency.

In addition, the phrase “TNF binding” in amended claim 155 that is recited immediately before the phrase “protein that specifically binds human TNF consists of” is struck out in order to indicate that this text is deleted.

Some claims are revised for clarity and to alter their dependencies. These amendments do not add new matter to the application.

New claim 213 is revised to be a method claim that depends from claim 158 and further defines the protein that specifically binds human TNF. Claim 125 and new claim 233 are also revised to state that the insoluble human TNF receptor protein is encoded by a nucleic acid having the same sequence as a nucleic acid from a cDNA library made from HL-60 cell extracts. Claims 128, 245 and 254 are revised to recite IgG<sub>1</sub>. These amendments do not add new matter to the application.

The foregoing claim set is the first presentation of new claims 262-273, which are directed to host cells comprising the polynucleotides of the invention and method of producing the proteins of the invention. These new claims do not add new matter to the application.

Inadvertent typographical errors are corrected by the foregoing supplemental amendment. Applicants believe this supplemental amendment is in better compliance with 37 CFR 1.121 (c) and request entry of the amendment into the record.

After entry of this amendment, claims 125, 127-130, 132, 148, 149, 155-159, and 213-273 are pending, and claims 204-212 are now cancelled. Applicants incorporate by reference their remarks and Exhibits submitted on August 30, 2007, and submit that these arguments are applicable to the present claim set. Applicants submit that the pending claims are in condition for allowance. Early notice thereof is earnestly requested. Should the Examiner have any issues that may be resolved via a telephone call, Applicants invite him to contact the undersigned without further delay so as to expedite prosecution of the instant application.

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Respectfully submitted,

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